

REMARKS

Applicant has amended this application in response to the Office Action.

Claim 1 has been amended to include the limitations of Claim 12, which the Examiner has indicated would be allowable. Claim 8 has been amended to include the limitations found in Claim 13, again which the Examiner has indicated would be allowable. Finally, Claim 11, which the Examiner indicated would be allowable, has been rewritten in independent form. Thus, all independent claims are allowable.

Applicant has also attempted to respond to the Examiner's questions under 35 U.S.C. §112. The Examiner questions the use of the limitation of the closure contacting a seal which is "vertically above" the wind deflector since in the drawings the seal 24 is spaced forwardly of the wind deflector. Applicant would ask for reconsideration of this objection in that the seal 24 is still vertically above the wind deflector, though not necessarily directly vertically above. If the Examiner still believes further clarification of this limitation is necessary, he is urged to telephone to Applicant's representative. Applicant's representative would also be willing to simply cancel the "vertically above" language or attend to the issue in some other fashion that the Examiner deems appropriate. Again, Applicant believes the claim language is proper as stated. However, if the Examiner has remaining issues, please telephone Applicant's representative.

Respectfully submitted,

CARLSON, GASKEY & OLDS

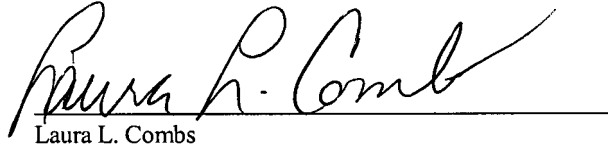
By: 

Theodore W. Olds
Registration No. 33,080
400 W. Maple Rd., Ste. 350
Birmingham, MI 48009
(248) 988-8360

April 10, 2001

CERTIFICATE OF MAILING

I hereby certify that the enclosed Amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Assistant Commissioner of Patents, Washington D.C. 20231 on April 10, 2001.

A handwritten signature in cursive script, appearing to read "Laura L. Combs", is written over a horizontal line.

Laura L. Combs

N:\Clients\MERITOR\lp00740\PATENT\Amendment 4-9-01.doc

APPENDIX 1**“VERSION WITH MARKINGS TO SHOW CHANGES MADE”**

1. (Twice Amended) A vehicle roof comprising:

an aperture;

a roof closure member movable between open and closed positions, and said closure member enclosing said aperture when in said closed position, and exposing said aperture when in said open position; [and]

a wind deflector[, said wind deflector being] movable between an extended position and a stowed position, and a portion of said wind deflector extending upwardly [at which it extends vertically] above a vertical position of said closure member in said extended position, and said wind deflector moving to said extended position [and said aperture] when said closure member is in said open position, said wind deflector being movable to [a] said stowed position, and said wind deflector being biased to at least one of said extended and said stowed position, and movable based upon movement of said closure member to the other of said extended and closed position, said wind deflector being pivotable about an axis in a mount between said extended and stowed positions; and

a stop on said wind deflector positioned on an opposed side of said axis from [said] portion of said wind deflector which extends vertically above said closure member, said stop contacting said mount to prevent further rotation of said wind deflector relative to said mount when said wind deflector is in said extended position, said stop being positioned vertically above said pivot axis in said stowed position, but vertically below said pivot axis in said extended position, and also rearward of said pivot axis relative to a forward end of said portion of said wind deflector in said extended position..

8. (Twice Amended) A vehicle roof closure assembly comprising:

a closure member movable between open and closed positions, said closure member opening an aperture in said open position and closing the aperture in said closed position; and

a wind deflector mounted to be pivotable between an extended position and a stowed position, said wind deflector being biased to said extended position and being in said extended position when said closure is in said open position, and a portion of said wind deflector extending upwardly above a vertical position of said closure when in said extended position, and said wind deflector being pivotable to a stowed position at which it is below said closure member, said wind deflector being biased toward said extended position by a spring mounted on a pivot axis, said wind deflector being pivotable in a mount, and said spring being mounted on said pivot axis, said wind deflector being entirely vertically below said closure member when in said stowed position, such that said closure contacts a seal vertically above said wind deflector in said stowed position, enclosing the aperture, a stop on said wind deflector positioned on an opposed side of said pivot axis from said portion of said wind deflector which extends vertically above said closure member, and stop contacting said mount to prevent further rotation of said wind deflector relative to said mount when said wind deflector is in said extended position.

11. (Amended) A vehicle roof closure assembly comprising:

a closure member movable between open and closed positions, said closure member opening an aperture in said open position and closing the aperture in said closed position;

a wind deflector mounted to be pivotable between an extended position and a stowed position, said wind deflector being biased to said extended position and being in said extended position when said closure is in said open position, said wind deflector extending upwardly above a vertical position of said closure when in said extended position, and said wind deflector being pivotable to a stowed position at which it is below said closure member, said wind deflector being biased toward said extended position by a spring mounted on a pivot axis, said wind deflector being pivotable in a mount, and said spring being mounted on said pivot axis, said wind deflector being entirely vertically below said closure member when in said stowed position, such that said closure contacts a seal vertically above said wind deflector in said stowed position, enclosing the aperture;

said wind deflector has a stop surface which contacts a surface of said mount when said wind deflector has been biased to said extended position to prevent further rotational movement of said wind deflector; and

[A closure assembly as recited in Claim 10, wherein] said mount has mount structures for pivotally mounting said wind deflector, and said stop on said wind deflector contacting a surface laterally between said mount structures to provide said stop.

13. (Amended) A closure assembly as recited in Claim 11 [8], wherein a stop on said wind deflector is positioned on an opposed side of said pivot axis from said portion of said wind deflector which extends vertically above said closure member, said stop contacting said mount to prevent further rotation of said wind deflector relative to said mount when said wind deflector is in said extended position.

14. (Amended) A closure assembly as recited in Claim 8 [13], wherein said stop is positioned vertically above said pivot axis in said stowed position, but is vertically below said pivot axis in said extended position, and is also rearward of said pivot axis relative to a forward end of said portion of said wind deflector in said extended position.

N:\Clients\MERITOR\lp00740\PATENT\Amendment.doc